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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,336	09/16/2003	Dirk Weichholdt	09194-US	3781
30689	7590	05/16/2006	EXAMINER	
DEERE & COMPANY ONE JOHN DEERE PLACE MOLINE, IL 61265				ILAN, RUTH
		ART UNIT		PAPER NUMBER
		3616		

DATE MAILED: 05/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/663,336	WEICHHOLDT, DIRK
	<b>Examiner</b>	<b>Art Unit</b>
	Ruth Ilan	3616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 06 March 2006 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date: _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____.   | 6) <input type="checkbox"/> Other: _____.                                   |

## DETAILED ACTION

1. The drawings were received on 3/6/06. These drawings are accepted.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 6-10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hurlburt et al. (US 6,267,198.) in view of Stracke et al. (DE 8902158) and Abbott/Hinerman (Suspension and Steering Glencoe Automotive Technology Series 2<sup>nd</sup> edition, pages 299-302 and 305/306) Hurlburt et al. teaches a rear steer axle on a combine (20) that includes a wheel (37) rotatably supported on a wheel carrier (35,43) that is supported on a pivot support that includes a yoke (42) with upper and lower arms (see Figure 3) that define two mounting points that are offset forward of the rotational axis of the rear wheels (see Figure 2 and abstract.) Regarding claims 7-10 and 12, Hurlburt et al. does not teach that the pivot axis is inclined toward the longitudinal central plane of the combine. Stracke et al. teaches (Figures 1 and 2) a steering axle with an offset pivot axis, similar to the steering axle disclosed by Hurlburt et al., and further teaches that the pivot axis (at 15) is inclined toward the longitudinal center line of the vehicle. Abbott/Hinerman (p 305, 306) teaches that an inclined steering angle is useful because it reduces the need for excessive caster and camber angles, distributes the weight of the vehicle more nearly under the road contact of the

tire and provides for ease of steering. It would have been obvious to one having ordinary skill in the art at the time of the invention, in view of the teaching of Stracke et al. and Abbott/Hinerman to modify the steering axle of Hurlburt et al. to include an inwardly inclined pivot axis, in order to distribute the weight of the vehicle and provide for ease of steering. Regarding claims 1-4 and 6 Hurlburt et al. fails to teach positive caster, that is, as claimed, the pivot axis inclined rearward relative to the forward driving direction. Positive caster, as taught by Abbott/Hinerman, is a well known steering geometry technique that is used to ease steering by providing a geometry that helps to return the steered wheel to its straight ahead position (see p 300.) It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the pivot axis of Hurlburt et al. to include a pivot axis inclined rearward relative to the forward driving direction in order to provide positive caster and help ease steering.

3. Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hurlburt et al. (US 6,267,198.) in view of Stracke et al. (DE 8902158) and Abbott/Hinerman (Suspension and Steering Glencoe Automotive Technology Series 2<sup>nd</sup> edition, page 299-302, 305/306) as applied to claims 1 and 7 above, and further in view of Reilly (US 4,953,889.) Hurlburt et al. in view of Stracke et al. and Abbott/Hinerman is discussed above, and fails to teach that the angle of the rotational axis of the rear wheels is arranged so that upper side of the rear wheel is situated farther outward than the lower edge (positive camber.) Camber is a well known steered wheel alignment geometry concern that is used to prevent undo tire wear. Reilly teaches that it is known to tilt the steered wheels of vehicles outwardly (see Figure 3b) and that such a geometry

is especially useful on steered wheels since much of the load of the vehicle is carried by the steered wheels (see col. 1, lines 5-30.) It would have been obvious to one having ordinary skill in the art at the time of the invention to include positive camber with the vehicle of Hurlburt et al. in view of Stracke et al. and Abbott/Hinerman, in view of the teaching of Reilly, in order to prevent undo tire wear, and ease of steering.

4. Claims 13-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hurlburt et al. (US 6,267,198) in view of Abbott/Hinerman (Suspension and Steering Glencoe Automotive Technology Series 2<sup>nd</sup> edition, page 299-302.) Hurlburt et al. teaches a rear steer axle on a combine (20) that includes a wheel (37) rotatably supported on a wheel carrier (35,43) that is supported on a pivot support that includes a yoke (42) with upper and lower arms (see Figure 3) that define two mounting points that are offset forward of the rotational axis of the rear wheels (see Figure 2 and abstract.) Hurlburt et al. fails to teach positive caster, that is, as claimed, the pivot axis inclined rearward relative to the forward driving direction. Positive caster, as taught by Abbott/Hinerman, is a well known steering geometry technique that is used to ease steering by providing a geometry that helps to return the steered wheel to its straight ahead position (see p 300.) It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the pivot axis of Hurlburt et al. to include a pivot axis inclined rearward relative to the forward driving direction in order to provide positive caster and help ease steering.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hurlburt et al. (US 6,267,198.) in view of Abbott/Hinerman (Suspension and Steering Glencoe

Automotive Technology Series 2<sup>nd</sup> edition, page 299-302) as applied to claim 13 above, and further in view of Reilly (US 4,953,889.) Hurlburt et al. in view of Abbott/Hinerman is discussed above, and fails to teach that the angle of the rotational axis of the rear wheels is arranged so that upper side of the rear wheel is situated farther outward than the lower edge (positive camber.) Camber is a well known steered wheel alignment geometry concern that is used to prevent undo tire wear. Reilly teaches that it is known to tilt the steered wheels of vehicles outwardly (see Figure 3b) and that such a geometry is especially useful on steered wheels since much of the load of the vehicle is carried by the steered wheels (see col. 1, lines 5-30.) It would have been obvious to one having ordinary skill in the art at the time of the invention to include positive camber with the vehicle of Hurlburt et al. in view of Abbott/Hinerman, in view of the teaching of Reilly, in order to prevent undo tire wear, and ease of steering.

***Response to Arguments***

5. Applicant's arguments filed 3/6/06 have been fully considered but they are not persuasive. The applicant is arguing that the Examiner has combined references to solve problems that do not exist in the field of agricultural harvesters. The Examiner respectfully disagrees with this assertion. Hurlburt et al. contemplates use on roads, as well as in the field, and as such is analogous art to Abbott. Hurlburt et al. specifically states that tire stability at "road speeds" is an issue of concern (see abstract and col. 4, lines 27,28.) As such, one having ordinary skill in the land vehicle and suspension art would certain look to something as rudimentary as a suspension manual, such of that of Abbott, when looking for improvements over Hurlburt et al. The agricultural vehicle arts

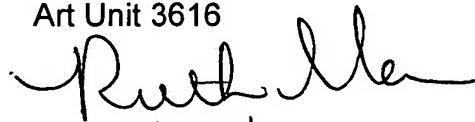
and the automotive vehicle arts are analogous, especially when considering issues of steering.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth Ilan whose telephone number is 571-272-6673. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ruth Ilan  
Primary Examiner  
Art Unit 3616

  
5/12/06

RI  
5/12/06